

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
MCALLEN DIVISION

NORTH AMERICAN BUTTERFLY	§
ASSOCIATION d/b/d THE	§
NATIONAL BUTTERFLY CENTER,	§
AND MARIANNA TREVINO	§
<i>Plaintiffs</i>	§

VS.

NEUHAUS & SONS, LLC, BRIAN	\$
KOLFAGE, AND WE BUILD THE	\$
WALL INC. et al	\$
<i>Defendants</i>	\$

CIVIL ACTION NO. 7:19-cv-00411

JOINT STATUS REPORT and AGREED MOTION FOR CONTINUANCE

NOW COMES, Plaintiffs, NORTH AMERICAN BUTTERFLY ASSOCIATION and MARIANNA TREVINO WRIGHT, and Defendants NEUHAUS & SONS, LLC, FISHER SAND AND GRAVEL CO., FISHER INDUSTRIES, and WE BUILD THE WALL, INC. and would provide this status report to the Court and request a thirty day continuance of the status conference currently scheduled for August 5, 2020, and would respectfully show unto the Court as follows:

1. While plaintiffs provided earlier dates for the fence inspection, due to the schedules of the parties and counsel, the fence inspection was scheduled for Monday, July 27, 2020. That inspection was cancelled due to Hurricane Hanna which came through the area around that same time. The parties have rescheduled the inspection for August 3, 2020.
2. Plaintiffs would like to give their experts additional time following the fence inspection.
3. The Fisher Defendants are working with the IBWC to resolve any issues with the government, which will involve additional time and additional modeling.

The parties do not have anything further to report to the Court aside from the fact that additional time is needed for the IBWC/Fisher case to work on their issues. The parties in the IBWC/Fisher case have also asked for 30 day continuance of the status conference. Accordingly, the parties believe that a thirty day continuance of the status conference from August 5, 2020 would be also be beneficial for this matter at this time.

WHEREFORE PREMISES CONSIDERED, the parties request that the status conference scheduled for August 5, 2020 be continued until the first week of September, 2020.

Respectfully submitted,

/s/ Javier Pena*
Javier Pena
Counsel for Plaintiffs
North American Butterfly Association
and Marianna Trevino

Date: 7/30/20

/s/ Lance Kirby
Lance Kirby
Counsel for Defendant
Neuhaus & Sons, LLC

Date: 7/30/20

/s/ David Oliveira*
David G. Oliveira
Counsel for Defendant
We Build the Wall, Inc.

Date: 7/30/20

/s/ Mark Courtois
Mark J. Courtois
Counsel for Defendants
Fisher Industries and
Fisher Sand & Gravel, Co.

Date: 7/30/20

**Signed by permission by MJC*